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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David B. Kay

Examiner: Julian W. Woo

Serial No: 10/089,105

Group Art Unit: 3731

Filed: 02/19/1998

Date: April 6, 2005

For: **OPEN HELICAL ORGANIC TISSUE ANCHOR AND METHOD OF
FACILITATING HEALING****MAIL STOP: AMENDMENTS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

Sir:

The undersigned hereby certifies that the attached **RESPONSE TO NON-COMPLIANT AMENDMENT UNDER (37 CFR 1.121)** was mailed to the Commissioner of Patents, Alexandria, VA 22313-1450, with sufficient first-class postage, no special handling, on April 6, 2005, before 5:00 PM, thereby ensuring that such document(s) will be in the hands of the U.S. Postal Service by the close of business this day.

The Commissioner is hereby authorized to charge any fees which might be required or credit any overpayment of fees with regard to the attached document(s) to Account No. 08-3150.

Respectfully submitted,

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RESPONSE TO NON-COMPLIANT AMENDMENT UNDER
(37 CFR 1.121)

Sir:

In response to the NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121) of March 8, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected on page 2 of this paper.

Remarks/Arguments begin on page 5.